



UNITED STATES DEPARTMENT OF COMMERCE

United States Patent and Trademark Office

Address: COMMISSIONER OF PATENTS AND TRADEMARKS
Washington, D.C. 20231

ML

APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.
09/514,338	02/28/00	TANABE	J 00724/P11-22

WENDEROTH LIND AND PONACK
2033 K STREET N.W.
SUITE 800
WASHINGTON DC 20006

PM82/0706

EXAMINER

KIM,C

ART UNIT	PAPER NUMBER
----------	--------------

3682

DATE MAILED: 07/06/01

Please find below and/or attached an Office communication concerning this application or proceeding.

Commissioner of Patents and Trademarks

Office Action Summary

Application No.
09/514,338

Applicant(s)
Tanabe et al.

Examiner
Chong H. Kim

Art Unit
3682



-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136 (a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133).
- Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

1) ☒ Responsive to communication(s) filed on Feb 28, 2000

2a) ☐ This action is FINAL. 2b) ☒ This action is non-final.

3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 35 C.D. 11; 453 O.G. 213.

Disposition of Claims

4) ☒ Claim(s) 1-14 is/are pending in the application.

4a) Of the above, claim(s) 4-14 is/are withdrawn from consideration.

5) ☐ Claim(s) _____ is/are allowed.

6) ☒ Claim(s) 1-3 is/are rejected.

7) ☐ Claim(s) _____ is/are objected to.

8) ☐ Claims _____ are subject to restriction and/or election requirements.

Application Papers

9) ☐ The specification is objected to by the Examiner.

10) ☐ The drawing(s) filed on _____ is/are objected to by the Examiner.

11) ☐ The proposed drawing correction filed on _____ is: a) ☐ approved b) ☐ disapproved.

12) ☐ The oath or declaration is objected to by the Examiner.

Priority under 35 U.S.C. § 119

13) ☒ Acknowledgement is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d).

a) ☒ All b) ☐ Some* c) ☐ None of:

1. ☒ Certified copies of the priority documents have been received.

2. ☐ Certified copies of the priority documents have been received in Application No. _____.

3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

*See the attached detailed Office action for a list of the certified copies not received.

14) ☐ Acknowledgement is made of a claim for domestic priority under 35 U.S.C. § 119(e).

Attachment(s)

15) ☒ Notice of References Cited (PTO-892)

18) ☐ Interview Summary (PTO-413) Paper No(s). _____

16) ☒ Notice of Draftsperson's Patent Drawing Review (PTO-948)

19) ☐ Notice of Informal Patent Application (PTO-152)

17) ☐ Information Disclosure Statement(s) (PTO-1449) Paper No(s). _____

20) ☐ Other: _____

Art Unit: 3682

DETAILED ACTION

Election/Restriction

1. Applicant's election without traverse of Invention I, claims 1-3 in Paper No. 4 is acknowledged.
2. Claims 4-14 are withdrawn from further consideration pursuant to 37 CFR 1.142(b) as being drawn to a nonelected invention II, there being no allowable generic or linking claim. Election was made **without** traverse in Paper No. 4.

Claim Rejections - 35 USC § 103

3. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

4. Claims 1-3 are rejected under 35 U.S.C. 103(a) as being unpatentable over Zeller, U.S. Patent 3,331,260 in view of Nishibori, U.S. Patent 4,505,869.

Zeller shows, in Figs. 1-5, a steering wheel comprising;

a rim section 1 having a core 2 incorporated therein;

the rim section 1 being constituted by rim elements 3-5 and 8 with a wooden flow pattern;

Art Unit: 3682

wherein the rim section 1 is formed thereon with holding unevenness 6 wherein the annular flow pattern is prevented from being disordered by the holding unevenness 6;

but fails to show the rim section being made of a thermosoftening synthetic resin with woodmeal that creates a wooden flow pattern and a color pigment to show woodgrain.

Nishibori teaches, in column 1, lines 45-49, lines 61-65, a material that is made of a thermosoftening synthetic resin (thermoplastic resin) to which woodmeal (or wood chips as mentioned in column 2, line 51) is added, resulting in the material being formed thereon with a flow pattern, and wherein a color pigment is added thereto so that the flow pattern is formed which has a clear woodgrain emphasized by the color pigment added, as described in column 3, lines 56-58.

It would have been obvious to a person of ordinary skill in the art at the time the invention was made to modify the steering wheel rim section having wood veneer of Zeller with the material being made of thermosoftening synthetic resin including woodmeal and color pigment of Nishibori in order to provide a "surface characteristics identical with those of wood in actual use, color, touch, finish coating, adhesion, laminating, etc." when real wood is difficult to obtain and expensive so that cost can be reduced and availability can be increased.

Regarding claims 1 and 3, applicant is reminded that although the product by process claim is permissible, the process in which the product is made cannot be given patentable weight in a product claim. Therefore, since the limitation of the rim elements being "re-shaped from a straight rod-like configuration into an arcuate configuration in conformity to a curvature of said core and mounted on said core, so that the flow pattern may be transformed into an annular flow pattern" as

Art Unit: 3682

recited in claim 1, lines 7-11 and the flow pattern being "transformed into the annular flow pattern while preventing the thus-formed annular flow pattern from being disordered by said holding unevenness" as recited in claim 3, lines 3-5 cannot be given patentable weight, the rim elements of Zeller in view of Nishibori is deemed to fully meet the claimed rim elements (see MPEP § 2113).

Conclusion

5. The prior art made of record and not relied upon is considered pertinent to applicant's disclosure.

Steering wheel with wood appearance rim.

Mori, U.S. Patent 6,138,526

Cho, U.S. Patent 6,214,154 B1

Malvassora, U.S. Patent 5,075,052

Nakada et al., U.S. Patent 5,792,302

Grossmann, DE Patent 1,983,333 A1

Method of forming rim section.

Ratner, U.S. Patent 2,327,931

Wood-like product made of thermosoftening resin with woodmeal.

Bendick et al., U.S. Patent 5,700,543

Fujuby Kagaku Kogyo, JP Patent 8,169,092 A

Tokuyama Sekisui Kogyo, JP Patent 10,030,032 A (color pigment)

Facsimile Transmission

Submission of your response by facsimile transmission is encouraged. Group 3600's facsimile number is **(703) 305-7687**. Recognizing the fact that reducing cycle time in the processing and examination of patent applications will effectively increase a patent's term, it is to your benefit to submit responses by facsimile transmission whenever permissible. Such submission will place the response directly in our examining group's hands and will eliminate Post Office processing and delivery time as well as the PTO's mail room processing and delivery time. For a complete list of correspondence **not** permitted by facsimile transmission, see MPEP 502.01. In general, most responses and/or amendments not requiring a fee, as well as those requiring a fee but charging such fee to a deposit

Art Unit: 3682

account, can be submitted by facsimile transmission. Responses requiring a fee which applicant is paying by check **should not be** submitting by facsimile transmission separately from the check.

Responses submitted by facsimile transmission should include a Certificate of Transmission (MPEP 512). The following is an example of the format the certification might take:

I hereby certify that this correspondence is being facsimile transmitted to the Patent and Trademark Office (Fax No. (703) 305-7687) on _____ (Date)

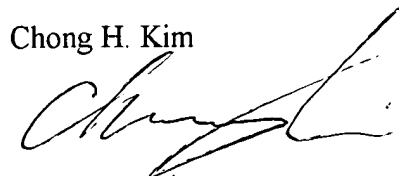
Typed or printed name of person signing this certificate:

(Signature)

If your response is submitted by facsimile transmission, you are hereby reminded that the original should be retained as evidence of authenticity (37 CFR 1.4 and MPEP 502.02). Please do not separately mail the original or another copy unless required by the Patent and Trademark Office. Submission of the original response or a follow-up copy of the response after your response has been transmitted by facsimile will only cause further unnecessary delays in the processing of your application; duplicate responses where fees are charged to a deposit account may result in those fees being charged twice.

6. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Chong H. Kim whose telephone number is (703) 305-0922.

Chong H. Kim



Patent Examiner

July 2, 2001